

**BY ORDER OF THE SECRETARY OF THE
AIR FORCE**

AIR FORCE INSTRUCTION 64-106

25 MARCH 1994



**AIR FORCE MATERIEL COMMAND
Supplement 1**

1 JUNE 1994

Contracting

**AIR FORCE INDUSTRIAL LABOR RELATIONS
ACTIVITIES**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This instruction implements AFR 64-1, *The Contracting System*. It describes authorized union activities on installations and the duties and responsibilities of Air Force personnel when a labor dispute occurs. It tells what the Air Force does about labor dispute demonstrations on Air Force installations and at overseas commands and activities. To ensure a full understanding of industrial labor relations activities, contact your servicing Regional Labor Office. A listing of Regional Labor Offices is in [Attachment 1](#).

(AFMC) This supplement implements AFR 64-1. It specifies the process for assessing and reporting contractor strikes and details the reporting chain. This supplement does not apply to the Air National Guard or US Air Force Reserve units.

SUMMARY OF CHANGES

This revision aligns the supplement with Air Force Instruction 64-106, 25 March 1994. It identifies the major command focal point who functions as the liaison with the regional labor advisors and the center labor relations coordinators. It designates HQ AFMC/PKM as the organization responsible for implementing Air Force policy and establishing command policies and procedures for contractor industrial relations.

AFI 64-106, 25 March 1994, is supplemented as follows:

SUMMARY OF REVISIONS

This is the first issuance of AFI 64-106, revising AFR 79-1.

1. Responsibilities:

1.1. Deputy Assistant Secretary (DAS) for Contracting. SAF/AQC approves, publishes, and implements all industrial labor relations policy and assigns a labor relations focal point from existing personnel strength.

1.2. Labor Relations Coordinator. Is the liaison with the regional labor advisor and has ready access to the installation commander. Appointment of a labor relations coordinator does not prevent direct communications between the regional labor advisor and the installation commander or other staff members when the situation requires it.

1.3. Regional Labor Advisors. Are identified in [Attachment 1](#) and are assigned by geographic area. The regional labor advisor:

- Advises the SAF/AQC labor relations focal point of any actions or activities that may impact SAF/AQC, contracting offices, or labor relations policies.
- Coordinates on all industrial labor relations actions and Air Force responses not covered by this instruction.
- Monitors and reports status of major collective bargaining agreements and labor management relations affecting significant Air Force programs.
- Guides and assists Air Force commands and installations on labor issues.
- Coordinates program operations.

1.3.1. (Added-AFMC) The regional labor advisors provide training in the application of labor laws to government acquisitions. The training specifically addresses the use of the Contract Work Hours and Safety Standards Act, the Service Contract Act, the Davis Bacon Act, and the Walsh Healy Public Contracts Act. The regional labor advisors are to be considered the primary source for this training and they should be consulted prior to seeking training in this area from other sources. All requests for labor law training shall be coordinated with the center labor relations coordinator and the regional labor relations advisor.

1.4. Major Command, Field Operating Agency, and Installation Commander. Each appoints a labor relations coordinator and alternate from existing personnel strength and advises the regional labor advisor of the names. Installation commanders communicate with local union officials as the need arises and include local labor organizations in their community relations programs.

1.4.1. (Added-AFMC) All Air Force regional labor advisors are directly assigned to HQ AFMC/PKM which serves as the command focal point for liaison with the regional labor advisors, implements Air Force policy, and establishes command policies and procedures for contractor industrial labor relations.

1.4.2. (Added-AFMC) Each AFMC Center Commander or designee appoints a primary and alternate center labor relations coordinator and advises HQ AFMC/PKM of the names, office symbols and telephone numbers of these individuals, who will receive and process work stoppage reports and impact assessments concerning actual or potential work stoppages. HQ AFMC/PKM will forward the information to the applicable regional advisor. In addition, AFMC centers shall establish a local process to ensure rapid development of both initial and long-term impact assessments, as needed.

1.5. Air Force Personnel. Air Force personnel do not interfere with or try to influence collective bargaining or labor disputes between contractors and labor unions representing contractor employees. Air Force personnel cooperate with Federal and state agencies relating to industrial labor relations activities. Air Force personnel maintain neutrality in labor disputes. Air Force personnel refer all contractor labor relations matters to the head of the contracting office. Such matters include:

- Potential contact with national or international level labor union organizations.
- Notice of potential or actual labor disputes.
- Notice of potential or actual picketing or other demonstrations.

1.6. Contracting Officers. Comply with Federal Acquisition Regulation (FAR) part 22 and its supplements concerning industrial labor relations matters. The contracting officer coordinates with the regional labor advisor on all actions and responses not covered by this instruction or the FAR.

2. Labor Disputes:

2.1. Reporting. The cognizant contracting activity reports and takes action in accordance with FAR 22.101-3 and its supplements when notice of a potential or actual labor dispute is received from any source. Such labor disputes include those:

- At contractor facilities with significant Air Force contracts.
- Operating on Air Force installations as the result of Air Force contracts or subcontracts.
- On Air Force installations but not operating under an Air Force contract, such as schools, banks, and credit unions, or contractors operating under contract with other agencies.

2.1.1. (Added-AFMC) The center labor relations coordinator, upon receipt of work stoppage reports or other credible information concerning actual or potential labor disputes:

2.1.1.1. (Added-AFMC) Determines the contracts involved and whether the center is or may be affected by the potential or actual labor dispute.

2.1.1.2. (Added-AFMC) In situations where there is more than one contracting officer involved, prepares or arranges for the preparation of an impact report according to DFARS 222.101-3-70. Submits significant impact information to HQ AFMC/PKM.

2.1.2. (Added-AFMC) Within HQ AFMC, contractor strikes are monitored and reported as follows:

2.1.2.1. (Added-AFMC) HQ AFMC/PKM reports contractor strike occurrence, status, and impact to HQ AFMC/PK for subsequent reporting (in coordination with HQ AFMC/XR) to HQ AFMC/CC.

2.1.2.2. (Added-AFMC) As an exception to the above, HQ AFMC/LG reports occurrence, status, and impact of strikes affecting transportation systems, e.g., strikes affecting the United States trucking or rail industries, to HQ AFMC/CC.

2.2. Performance During a Dispute. If work is necessary for health, sanitation, safety, or other reasons, and a contractor can not work as required because of a labor dispute, the installation commander may authorize the use of in-house personnel instead of contractor personnel after coordination with the regional labor advisor. In no event will commanders use Air Force military or civilian personnel

to supplement the contractor's nonstriking work force. The contract services must be performed exclusively by contractor employees or exclusively by Air Force employees.

2.3. Picketing and Other Demonstrations:

2.3.1. The installation commander minimizes impact on the Air Force mission by (generally) not permitting picketing or other demonstrations on Air Force installations and by limiting picketing outside installations to one or more gates. By restricting a struck contractor's base entry and exit to specific gates, and enforcing that restriction, the union is obliged to limit its picketing to those same gates. Neutral contractor employees and others not involved in the dispute can access the installation without crossing a picket line by using other gates.

2.3.2. When pickets appear, or when the installation commander receives notice of possible picketing, the commander:

- May request the presence of the regional labor advisor if justified.
- Consults with the labor relations coordinator and the regional labor advisor on a course of action to minimize the impact of the picketing.
- Decides if a reserve gate or gates should be established.
- Informs all military and civilian personnel of the labor situation, gives the Air Force policy of strict neutrality, instructs personnel to refrain from expressing an opinion on the merits of the labor-management dispute, and emphasizes the need to obey any special traffic instructions.
- Notifies local civil law enforcement officials that pickets may congest public access routes adjacent to the installation and request their assistance in keeping routes clear. Reviews installation boundaries and jurisdiction with local law officials.

2.3.3. If installation commanders require a reserved gate, they:

- Send appropriate letters to the contractor and unions involved (see sample letter [Attachment 2](#)).
- Conspicuously place signs at the reserved gates. The signs must be easily readable from a distance of 75 feet by vehicle operators and pedestrians entering the installation, and must contain the following wording: "**NOTICE: THIS ENTRANCE MUST BE USED BY EMPLOYEES, VENDORS, AND SUPPLIERS OF** (Name of contractor involved in dispute) **WHO ENTER AND EXIT THIS INSTALLATION, BY ORDER OF THE INSTALLATION COMMANDER.**"
- Places signs at all other base entrances to read: "**NOTICE: EMPLOYEES, VENDORS, AND SUPPLIERS OF** (Name of Contractor) **MUST ENTER AND EXIT THE** _____ **ENTRANCE TO** _____ **AIR FORCE BASE, BY ORDER OF THE INSTALLATION COMMANDER.**"
- Maintain a separate log of events and activities at the picket gate and at the picket line area.

2.3.4. Air Force members and employees continue to perform their own normal installation or contractor plant functions during a labor dispute.

2.3.5. Guards must monitor gates for compliance with the reserved gate restrictions. The union may post observers at neutral gates to monitor compliance. Use of other gates by contractor per-

sonnel involved in the dispute may result in the union legally picketing all gates to the installation. The labor relations coordinator informs the regional labor advisor if pickets or personnel involved in the dispute (including vendors and subcontractors) use other than the designated gate. If this occurs, the installation commander may be required to revise the gate system.

2.3.6. If installation commanders believe that the safety of Air Force personnel entering, exiting, or working at the Air Force installation or plant would be endangered by strike or picketing activities, the commanders ask the regional labor advisor for assistance in arranging safe entrance and exit of Air Force employees. The regional labor advisor may negotiate to limit the number of pickets and establish conduct standards for those picketing.

2.4. Disputes at Overseas Commands:

2.4.1. Industrial labor relations activities, including labor disputes, at overseas commands are normally governed by laws and regulations of the host country. However, overseas commands should comply with this regulation where possible in administering their industrial labor relations affairs. Command labor relations coordinators refer questions or problems on how US labor laws apply in overseas areas, or submit requests for industrial labor relations assistance, to the appropriate regional labor advisor ([Attachment 1](#)).

2.4.2. Due to the time delays inherent in receiving DD Form 1507, **Work Stoppage Report**, messages from overseas, where actual or potential work stoppages may impact on Air Force programs or contracts, the labor relations coordinator:

- Immediately telephones the regional labor advisor.
- Follows each telephone report with a DD Form 1507 message.
- Provides daily updates by fax until the situation stabilizes.

3. Employing Off-Duty Military Personnel. Off-duty military personnel can not work at an hourly rate of pay less than the minimum or prevailing wage. The Air Force does not permit off-duty employment in jobs temporarily vacated by a firm's striking employees. However, off-duty Air Force military personnel who were employed by a contracting firm before it became involved in a labor dispute need not be required to terminate employment solely because of the dispute.

4. Union Activity on Air Force Installations:

4.1. Authorized Activities. Installation commanders shall not permit union activity on Air Force-owned or controlled property except as provided in this instruction. *Note: For unions representing Federal employees see AFI 36-701, Labor Management Relations (formerly AFR 40-711).*

4.1.1. Union representatives may conduct legitimate union business with their members who are employed by on-base contractors or meet with Air Force or contractor officials regarding union business, subject to the constraints of this instruction.

4.1.2. Unions may hold bargaining unit certification or decertification elections on Air Force installations under the supervision of the National Labor Relations Board (NLRB). Installation commanders must provide a suitable place for such elections on request of the NLRB, but only after coordinating the request with the regional labor advisor.

4.1.3. Unions may hold collective bargaining agreement ratification votes on an Air Force installation or controlled sites at the discretion of the commander.

4.1.4. Unions may not conduct internal elections on Air Force installations or controlled sites.

4.2. Installation Access. The installation commander, in coordination with the regional labor advisor, establishes local procedures governing labor union representative's access to contractor employees on Air Force installations. The commander may issue indefinite entry passes to labor union representatives who visit regularly. Include the following restrictions:

- Access is for organizational purposes or the conduct of legitimate union business with members.
- The representative's entry shall not violate safety or security requirements and can not include access to secure or controlled areas.
- The representative's entry, presence, or activity shall not interfere with base operations or the contractor's activities.
- The representative may only distribute union literature and contact individual contractor employees outside the contractor's work areas and during the contractor employees' non-working hours, such as before work, during lunch time, or after work.
- The representative may not hold meetings, collect dues, or make speeches.

RICHARD E. HAWLEY, Lt General, USAF
Principal Deputy, Assistant Secretary of the Air Force
for Acquisition

Attachment 1

REGIONAL LABOR ADVISORS

Southeastern Regional Labor Advisor

Patrick AFB FL 32925-0728

407-494-6734 (Commercial) DSN 854-6734

Areas Serviced: AL, AR, FL, GA, LA, MS, NC, SC, TN

Northeastern Regional Labor Advisor

Wright-Patterson AFB OH 45433-5000

513-257-7579 (Commercial) DSN 787-7579

Areas Serviced: CT, DE, DC, IL, IA, IN, KY, MA, MD, ME, MI, MN, MO, NH,
NJ, NY, OH, PA, RI, VA, VT, WI, WV, USAFE

Central Regional Labor Advisor

Peterson AFB CO 80914-5000

719-554-1770 (Commercial) DSN 692-1770

Areas Serviced: CO, KS, MT, ND, NE, NM, OK, SD, TX, WY, Canada

Western Regional Labor Advisor

Vandenberg AFB CA 93437-0147

805-734-8232, EX 6-7711/6-7712 (Commercial) DSN: 276-7711

Areas Serviced: AK, AZ, CA, HI, ID, NV, OR, UT, WA, PACAF

Attachment 2**SAMPLE LETTER FOR RESERVED GATE PROCEDURES**

(This letter is only a guide; the wording, style, and form are optional.)

FROM: CC

SUBJECT: Reserved Gate Procedure in the Event of Picketing

TO: (One copy goes to the contractor and one to the picketing union)

I have been advised that a labor dispute may result in picketing of (contractor) during performance of contract _____ at (base).

The Air Force maintains strict neutrality in contractor labor disputes. Consistent with this policy, I must make every effort to ensure the ability of the Air Force to perform its mission is not adversely affected by your dispute.

Accordingly, observe the following procedures for the duration of the dispute or until otherwise removed by official action:

- a. Do not picket within the confines of the installation.
- b. All employees, vendors and suppliers of (contractor) will enter and exit the installation only through the reserved gate: (gate designation, may be more than one).
- c. Confine demonstrations, including picketing, to the reserved gate, (restate the reserved gates).

The Government will post appropriate signs identifying the reserved gate at all entrances to the installation. You must ensure all individuals are aware of and fully comply with these procedures. Direct any questions or problems regarding these procedures to (point of contact for commander) at (phone no.)

CC signature block